

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

K2M DESIGN, INC. c/o Scott Maloney, CEO,

Plaintiff,

-against-

PETER K. SCHMIDT, GENE LIM, and
FILMWEST GLOBAL PARTNERSHIP, LLC,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/23/2024

1:22-cv-03069 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

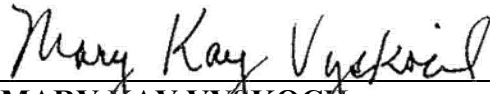
On April 23, 2024, the Court conducted a status conference in this matter. As discussed at that conference, IT IS HEREBY ORDERED that:

1. Within one week of the date of the conference, by April 30, 2024, the parties shall file a joint letter detailing the following:
 - a. Plaintiff shall advise the Court whether it intends to pursue its fraud claim against Defendant Gene Lim.
 - b. The parties shall advise the Court as to their position with respect to the measure of damages applicable to the Court's grant of summary judgment on Plaintiff's breach of contract claim, including whether they stipulate to the calculation of damages in Magistrate Judge Stein's Report and Recommendation granting default judgment on the same claim against Defendant Peter K. Schmidt.
2. Within two weeks of the date of the conference, by May 7, 2024, the parties shall file a joint letter advising the Court of the status, but not the substance,

of settlement discussions, and whether the parties seek referral to Magistrate Judge Stein for a settlement conference, or to the Court's Mediation Program.

SO ORDERED.

Date: April 23, 2024
New York, NY


MARY KAY VYSKOCIL
United States District Judge